

House File 26 - Introduced

HOUSE FILE _____
BY TJEPKES

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the minimum hours of instructional school time
2 in a school year for grades one through twelve for school
3 districts, charter schools, and accredited nonpublic schools,
4 and providing an effective date.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 1604YH 83
7 kh/rj/5

PAG LIN

1 1 Section 1. Section 256.7, subsection 19, Code 2009, is
1 2 amended by striking the subsection and inserting in lieu
1 3 thereof the following:
1 4 19. Adopt rules that define what constitutes instructional
1 5 time for purposes of the minimum hours of instructional time
1 6 set forth in section 279.10. Instructional time shall not
1 7 include the lunch period, recess, time for noninstructional
1 8 assemblies, late arrival or early dismissal times required for
1 9 emergency health or safety factors, weather-related late
1 10 starts or early releases, or time used for professional
1 11 development.

1 12 Sec. 2. Section 256F.4, subsection 5, Code 2009, is
1 13 amended to read as follows:

1 14 5. A charter school shall provide instruction for at least
1 15 the number of ~~days~~ hours required by section 279.10,
1 16 subsection 1, ~~or shall provide at least the equivalent number~~
1 17 ~~of total hours.~~

1 18 Sec. 3. Section 279.10, subsections 1 and 2, Code 2009,
1 19 are amended to read as follows:

1 20 1. The school year shall begin on the first day of July
1 21 and each regularly established elementary and secondary school
1 22 shall begin no sooner than a day during the calendar week in
1 23 which the first day of September falls but no later than the
1 24 first Monday in December. However, if the first day of
1 25 September falls on a Sunday, school may begin on a day during
1 26 the calendar week which immediately precedes the first day of
1 27 September. ~~School shall continue for at least one hundred~~

1 28 ~~eighty days, except as provided in subsection 3, and may be~~
1 29 ~~maintained during the entire calendar year. However, if the~~
1 30 ~~board of directors of a district extends the school calendar~~
1 31 ~~because inclement weather caused the district to temporarily~~
1 32 ~~close school during the regular school calendar, the A school~~
1 33 ~~district may excuse shall require a graduating senior who has~~
1 34 ~~met district or school to meet the same requirements for~~
1 35 ~~graduation from attendance during the extended school calendar~~
2 1 ~~as those required of any other class of students enrolled at~~
2 2 ~~the secondary level in the school district, except with regard~~
2 3 ~~to activities related to graduation as authorized by the~~
2 4 ~~school district. The minimum hours of instructional time in a~~
2 5 ~~school year for grades one through six shall be nine hundred~~
2 6 ~~ninety hours. The minimum hours of instructional time in a~~
2 7 ~~school year for grades seven through twelve shall be one~~
2 8 ~~thousand eighty hours. A school corporation may begin~~
2 9 employment of personnel for in-service training and
2 10 development purposes before the date to begin elementary and
2 11 secondary school.

2 12 2. The board of directors shall hold a public hearing on
2 13 any ~~proposal~~ request authorized under subsection 4 prior to
2 14 submitting it to the department of education for approval.

2 15 Sec. 4. Section 279.10, subsection 3, Code 2009, is
2 16 amended by striking the subsection.

2 17 Sec. 5. Section 299.1, unnumbered paragraph 1, Code 2009,
2 18 is amended to read as follows:

2 19 Except as provided in section 299.2, the parent, guardian,
2 20 or legal or actual custodian of a child who is of compulsory
2 21 attendance age, shall cause the child to attend some public
2 22 school, an accredited nonpublic school, or competent private
2 23 instruction in accordance with the provisions of chapter 299A,
2 24 during a school year, as defined under section 279.10. The
2 25 board of directors of a public school district or the
2 26 governing body of an accredited nonpublic school shall set the
2 27 number of ~~days~~ hours of required attendance for the schools
2 28 under its control.

2 29 Sec. 6. STATE MANDATE FUNDING SPECIFIED. In accordance
2 30 with section 25B.2, subsection 3, the state cost of requiring
2 31 compliance with any state mandate included in this Act shall
2 32 be paid by a school district from state school foundation aid
2 33 received by the school district under section 257.16. This
2 34 specification of the payment of the state cost shall be deemed
2 35 to meet all of the state funding-related requirements of
3 1 section 25B.2, subsection 3, and no additional state funding
3 2 shall be necessary for the full implementation of this Act by
3 3 and enforcement of this Act against all affected school
3 4 districts.

3 5 Sec. 7. FUTURE EFFECTIVE DATE. This Act takes effect July
3 6 1, 2011.

3 7 EXPLANATION

3 8 This bill replaces the current 180-day school calendar,
3 9 which converts to a required 990 hours of instructional school
3 10 time at 5.5 hours per day, with a requirement that the school
3 11 calendar include 990 hours of instructional time for grades
3 12 1-6 and 1,080 hours of instructional time for grades 7-12.

3 13 The bill strikes a Code provision directing the state board
3 14 of education to define the minimum school day and allowing the
3 15 minimum hours to include early dismissals or late arrivals for
3 16 inclement weather or emergency health factors and staff
3 17 development. However, the bill adds a new requirement that
3 18 the state board define what constitutes instructional time,
3 19 which the bill states cannot include recess, the lunch period,
3 20 noninstructional assemblies, late arrival or exceptional
3 21 dismissal times, or professional development time.

3 22 The bill eliminates a provision that authorizes a school
3 23 district to excuse a graduating senior from attendance on days
3 24 added to the school calendar to make up for days lost due to
3 25 inclement weather. The bill requires that graduating seniors
3 26 meet the same attendance requirements as those required of any
3 27 other class of students at the secondary level, except with
3 28 regard to graduation activities.

3 29 The bill makes a conforming change by striking a provision
3 30 that permitted school districts to request approval for a
3 31 pilot program in which a school district could substitute an
3 32 equivalent number of hours for the 180-day school calendar
3 33 requirement. The bill also makes a technical change to a
3 34 provision which specifies that a school district must hold a
3 35 public hearing on a request to change the school start date
4 1 prior to submitting the request to the department.

4 2 The bill may include a state mandate as defined in Code
4 3 section 25B.3. The bill requires that the state cost of any
4 4 state mandate included in the bill be paid by a school
4 5 district from state school foundation aid received by the
4 6 school district under Code section 257.16. The specification
4 7 is deemed to constitute state compliance with any state
4 8 mandate funding-related requirements of Code section 25B.2.
4 9 The inclusion of this specification is intended to reinstate
4 10 the requirement of political subdivisions to comply with any
4 11 state mandates included in the bill.

4 12 The bill takes effect July 1, 2011.

4 13 LSB 1604YH 83

4 14 kh/rj/5